



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/812,391

03/30/2004

Dieter Gneiting

449122054200

1740

29177 7590 08/05/2008
BELL, BOYD & LLOYD, LLP
P.O. BOX 1135
CHICAGO, IL 60690

EXAMINER

WONG, WARNER

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

08/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/812,391	Applicant(s) GNEITING ET AL.	
	Examiner WARNER WONG	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 13-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4, 6-8, 10, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dore (US 6,876,646) in view of Bedingfield (US 6,724,863).

Regarding claim 1, Dore describes a telecommunications call control method for providing control of a terminal (B) (fig. 1, terminal 40), the terminal (B) being coupled to a telecommunications network (fig. 1, telecom system 10), the method comprising the steps of:

bi-directionally communicating call associated signaling messages to the terminal via a first network element (MGC) (fig. 1 & 4, bidirectional call setup flow to/from MGC 14 (first network element), comprising signaling data associated with call setup, col. 3, lines 61-62).

Dore further describes bi-directionally translating/communicating other signaling messages to the terminal via a second network element (STP) (fig. 1, STP 50 & col. 3, lines 66 to col. 4, lines 4, other signaling data), but fails to explicitly describe: non-call associated signaling messages.

Bedingfield describes a message routing method, comprising: communicating non-call associated signaling messages to the terminal via a second network element

(STP) (abstract & col. 4, lines 26-38, the MWI (non-call associated) message is translated/communicated to the phone terminal via the signal transfer point 208 (second network element)).

It would have been obvious to one with ordinary skill in the art at the time of invention by applicant to specify that the STP of Dore to be an STP which communicates non-call associated messages to the terminal as in Bedingfield.

The motivation for combining the teachings is that it allows the STM to sort out shared telephone numbers that belong to a foreign network (Bedingfield, col. 4, lines 35-38).

Regarding claim 2, Dore and Bedingfield combined further describe:

the step of communicating the call associated signaling messages via a media gateway controller (MGC) (Dore, fig. 1 & col. 6, lines 30-32, call associated message via MGC 14).

Regarding claim 3, Dore and Bedingfield combined further describe:

the step of communicating the non-call associated signaling messages via a signaling transfer point (STP) (Bedingfield, abstract, MWI (non-call associated) messages via STP 208).

Regarding claim 4, Dore and Bedingfield combined further describe:

the step of communicating the non-call associated signaling messages via a mediation function (MF) implemented in said signaling transfer point (STP) (col. 5, lines 41-49, STP 208 comprises the translation (mediation) function in communicating the MWI (non-call associated) message).

Regarding claim 6, Dore describes a telecommunications network for providing control of a terminal (B) (fig. 1, terminal 40), the terminal (B) being coupled to a telecommunications network (fig. 1), the method comprising the steps of:

first network element (MGC) for bi-directionally communicating call associated signaling messages to the terminal (fig. 1 & 4, bidirectional call setup flow to/from MGC 14 (first network element), comprising signaling data associated with call setup, col. 3, lines 61-62).

Dore further describes a second network element (STP) for bi-directionally translating/communicating other signaling messages to the terminal (col. 3, lines 66 to col. 4, lines 4), but fails to explicitly describe: non-call associated signaling messages.

Bedingfield describes a message routing method, comprising: communicating non-call associated signaling messages to the terminal via a second network element (STP) (abstract & col. 4, lines 26-38, the MWI (non-call associated) message is translated/communicated to the phone terminal via the signal transfer point 208 (second network element)).

It would have been obvious to one with ordinary skill in the art at the time of invention by applicant to specify that the STP of Dore to be an STP which communicates non-call associated messages to the terminal as in Bedingfield.

The motivation for combining the teachings is that it allows the STM to sort out shared telephone numbers that belong to a foreign network (Bedingfield, col. 4, lines 35-38).

Regarding claim 7, Dore and Bedingfield combined further describe:

the step of communicating the call associated signaling messages via a media gateway controller (MGC) (Dore, fig. 1 & col. 6, lines 30-32, call associated message via MGC 14).

Regarding claim 8, Dore and Bedingfield combined further describe:

the step of communicating the non-call associated signaling messages via a signaling transfer point (STP) (Bedingfield, abstract, MWI (non-call associated) messages via STP 208).

Regarding claim 10, Dore and Bedingfield combined further describe:

the telecommunications network includes a circuit switched network section and a packet switched network section (P) (Dore, col. 3, lines 24-34, telecom network 10 comprises circuit-switched networks 32,34 and packet-based network 12).

Regarding claim 12, Dore and Bedingfield combined further describe:

the packet switched network section (P) operates in accordance with Session Initiation Protocol SIP (col. 5, lines 4-6, packet-based network 12 supporting SIP protocol).

2. Claim 5, 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dore in view of Bedingfield as applied to claim 3 above, and further in view of Yoakum (US 2002/0075881).

Regarding claim 5, Dore and Bedingfield combined fail to describe:

the step of communicating the non-call associated signaling messages via a non-call associated signaling gateway (N-CAS-SIP GW) arranged in a communication path (S6, S5, P3) between the signaling transfer point (STP/SRP) and the terminal (B).

Yoakum describes:

the step of communicating the non-call associated signaling messages via a non-call associated signaling gateway (N-CAS-SIP GW) arranged in a communication path (S6, S5, P3) between the signaling transfer point (STP/SRP) and the terminal (B) (fig. 1, signaling gateway 28 for SIP server 26 is between STP 24 & terminal 30, used for providing other features such as automated callback (= CCBS) (non-call associated signaling messages), para. 25-26).

It would have been obvious to one with ordinary skill in the art at the time of invention by applicant to incorporate a signaling gateway between STP & terminal as in Yoakum for the combined telecommunication network of Dore & Bedingfield.

The motivation for combining the teachings is that it allows other features such as automated callback to be established in telephony communications (Yoakum, para. 25).

Regarding claim 9, Dore and Bedingfield combined fail to describe:

a non-call associated signaling gateway (N-CAS-SIP GW) coupled to a signaling transfer point (STP).

Yoakum describes:

a non-call associated signaling gateway (N-CAS-SIP GW) coupled to a signaling transfer point (STP) (fig. 1, signaling gateway 28 for SIP server 26 is coupled to a STP 24).

It would have been obvious to one with ordinary skill in the art at the time of invention by applicant to incorporate a signaling gateway coupling to a STP as in Yoakum for the combined telecommunication network of Dore & Bedingfield.

The motivation for combining the teachings is that it allows other features such as automated callback to be established in telephony communications (Yoakum, para. 25).

Regarding claim 11, Dore and Bedingfield combined further describe:

the first and second network elements are coupled to both the circuit switched and the packet switched network sections (Dore, fig. 1, MGC 14 & STP 50 (first & second network elements) are connected/coupled to both the circuit-switched networks 32,34 and packet-based network 12 sections).

Dore and Bedingfield combined fail to explicitly describe: the terminal (B) is an element of the packet switched network section (P).

Yoakum describes: the terminal (B) is an element of the packet switched network section (P) (fig. 1, IP terminal 30 is an element of packet-switched network 14).

It would have been obvious to one with ordinary skill in the art at the time of invention by applicant to specify that the terminal is an element of the packet switched network section as in Yoakum for terminal in the combined telecommunication network of Dore & Bedingfield.

The motivation for combining the teachings is that it allows other features such as automated callback (= CCBS) to be established in telephony communications (Yoakum, para. 25).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Elliott (US 6,614,781) describing voice over a data telecommunication network, Prasad (US 7,054,328) describing a STP with IP capability, Clemm (US 7,126,941) describing a packet voice network management, Hinch (US 7,366,198) describing system for packet and circuit telephony, and Doskow (US 7,184,538) describing mediation of common channel signaling messages.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WARNER WONG whose telephone number is (571)272-8197. The examiner can normally be reached on 6:30AM - 3:00PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kwang Yao can be reached on 571-272-3182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Warner Wong
Primary Examiner
Art Unit 2616

/W. W./
Primary Examiner, Art Unit 2616